

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**  
Caption in Compliance with D.N.J. LBR 9004-2(c)

**The Law Offices of Steven D. Pertuz, LLC  
111 Northfield Avenue, Suite 304  
West Orange, NJ 07052  
Tel: (973) 669-8600  
Fax: (973) 669-8700  
pertuzlaw@verizon.net  
SDP 5632**

In re:

BAV AUTO, L.L.C.  
aka COSTA'S AUTO GALLERY

Debtor in Possession.

Chapter 11

Case No.: 22-17933 (JKS)

Recommended Local Form:

Followed

x Modified

**CERTIFICATION OF PROFESSIONAL IN SUPPORT OF APPLICATION  
FOR RETENTION OF PROFESSIONAL, NUNC PRO TUNC, TO THE PETITION DATE**

I, Steven D. Pertuz, being of full age certify as follows:

1. I am seeking authorization to be retained as counsel for BAV AUTO, L.L.C. aka Costa's Auto Gallery.

2. My professional credentials include admission to the bars of the States of New Jersey and New York, United States District Court for the District of New Jersey and United States District Court for the Southern and Eastern Districts of New York.

3. I am a sole practitioner for over 20 years and maintain an office at 111 Northfield Avenue, Suite 304, West Orange, NJ 07052. I am a bankruptcy attorney and have experience representing corporate and individual debtors in Chapter 11 matters.

4. To the best of my knowledge, after reasonable and diligent investigation, I have no connection with the above-named Debtor, its creditors, or any other party in interest herein, or their respective attorneys, accountants, or principals, the United States Trustee, or any person employed in the office of the United States Trustee.

5. The proposed arrangement for compensation is based on an hourly rate of \$325.00 per hour for attorney time and \$90.00 per hour for law clerks and support staff.

6. To the best of my knowledge, after reasonable and diligent investigation, the connection of my firm, its members, associates, officers and/or employees with the debtor(s), its creditors, or any other party in interest herein, or their respective attorneys, accountants, or principals, the United States Trustee, or any person employed in the office of the United States Trustee is as follows: **NONE**

7. To the best of my knowledge, my firm, its members, shareholders, partners, associates, officers and/or employees and I:

☒ do not hold an adverse interest to the estate.

☒ do not represent an adverse interest to the estate.

☒ are disinterested under §101(14).

☒ do not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which he/she will be retained under 11 U.S.C. §327(e).

☒ the employment of such firm will be in the best interest of the estate.

8. Nunc Pro Tunc relief is appropriate as counsel had commenced evaluating reorganization options and assessing all creditors and claims since the emergent petition was filed in order to stay aggressive collection actions from creditors on October 6, 2022. Per recent caselaw, bankruptcy courts are not prohibited from retroactively approving employment when

otherwise appropriate. *See In re Mallinckrodt PLC*, No. BR 20-12522-JTD, 2022 WL 906462 (D. Del. Mar. 28, 2022).

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: October 13, 2022

/s/ Steven D. Pertuz  
STEVEN D. PERTUZ, ESQ.  
Steven D. Pertuz, LLC  
111 Northfield Avenue, Suite 304  
West Orange, NJ 07052